



State of Tennessee Department of Children's Services

Administrative Policies and Procedures: 21.11-DOE

Subject: Determination Of Need For Special Education Services

supersedes: DYD 17.11.1

Approved by:

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Authority:

TCA 37-5-106

ACA Standard:

2-6179, 2-6183, 2-7139, 2-9257, 2-9344, 2-9390

- I. APPLICATION: To all employees of the Department of Children's Services.
- II. POLICY: Every youth committed to the Department of Children's Services shall be screened by a community or facility classification team to determine handicapping conditions and the need for special education services. If the results of the screen indicate a need, a comprehensive, individualized assessment shall be done. The process shall be in accordance with the Rules, Regulations, and Minimum Standards for the Governance of Public Schools in the State of Tennessee, and the Tennessee Department of Education Youth Evaluation Manual.
- III. PROCEDURES:
 - A. Screening
 1. Support data for youths suspected of needing special education services shall include the results of the youth's screening battery and/or individual test results. If the youth is not presently identified as needing special education services and the group screening test results in intelligence scores below an IQ of 75 or academic test scores below fourth grade level, individually administered evaluation, including a measure of adaptive behavior shall be performed to assess for special education services. This could include evaluations done in the past year which are verifiable.
 2. The Classification Coordinator shall be responsible for compiling the screening data and initiating additional assessments as needed.

B. Identification for Educational Purposes

1. The specialist(s), following guidelines set out in the Youth Evaluation Manual, shall administer an individualized comprehensive assessment and shall be responsible for determining which tests shall be utilized.
2. If the required specialist(s) is not employed by the Department of Children's Services, this service shall be sought through the appropriate administrative procedure and shall be initiated by the Classification Coordinator or team leader through a request to his/her supervisor.
3. Any need, such as mental retardation or emotional disturbances, which would affect the placement decision of the classification staffing team shall be identified during classification staffing and noted on the classification summary.
4. If the determination of a youth's need for special education services will not affect the placement decision or will require lengthy observation or a series of tests over an extended period of time, classification staffing team may place the youth in a treatment program and notify the receiving treatment team leader of the following:
 - a) The youth has a possible need for special education services in a specific area(s);
 - b) The degree to which the evaluation has been completed;
 - c) The type of evaluation in process, e.g., appointment, observation.
5. If further identification of need occurs after the youth has been placed in a treatment program, the treatment team leader shall be responsible for coordinating the process and information. The classification staffing team which performed the screening may be called upon to assist in gathering more information and/or participation in the determination of the educational handicapping condition and need for special education services.
6. The need for on-going evaluation after placement shall not relieve the classification staffing team of its responsibility for completing all other evaluations not pertinent to the determination of need for special education services.

C. Other

Sometimes a youth may have a handicap which has not resulted in any educational problems and/or the youth cannot be found eligible for special education services in accordance with Department Of Education Rules And Regulations, e.g., a mentally ill youth who is functioning at or above grade level and whose mental illness does not fit Department of Education guidelines for identifying a seriously emotionally disturbed handicap. Such youth shall be identified and provided with appropriate treatment recommendations. Treatment planning for this type of youth shall be done whether or not the youth is educationally handicapped.

D. Indication of Need for Special Education Services After Treatment Placement

If new indications of a need for special education services occur after a youth is placed in a treatment program, the program staffing team leader shall substitute for the Classification Coordinator in the initiation of the screening and referral process. Any staff member of the Department of Children Services shall be allowed to request, in writing, a new evaluation of a youth (suspected of needing special education services) and the program staffing team leader shall respond to the request in writing or initiate the screening.

E. Re-Evaluation

1. Youths receiving special education services shall be monitored continuously by the treatment staffing team with a monthly/quarterly review to determine if he/she has met the objectives in his/her Individualized Education Program (IEP) and if he/she needs to be re-evaluated.
2. A comprehensive assessment of the youth's performance shall occur at least every three years, unless there is reason to believe that prior test results are inaccurate and do not reflect the youth's current level of functioning. The evaluation follow-up shall be done in accordance with Department of Education Rules, Regulations, and Minimum Standards.
3. If a youth is in a community placement and attending school in the community, the local school system monitors and re-evaluates special education placements. The youth's counselor from the Department of Children's Services shall attend school staffings whenever possible.
4. If a youth is in a Youth Development Center or community program with in-house school, the special education placement shall be monitored and re-evaluated in accordance with Department of Education guidelines.
5. After a re-evaluation the youth's M-Team may decide that a youth no longer meets the criteria for special education services. This must be done at an M-Team staffing.

IV. FORMS: None

(Note: This Policy Cannot Be Revised Without Prior Permission of Chancery Court, Davidson County, Nashville, Tennessee.)